

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 3-5, 7-10, 11, 13-14, 16-25, 27-29 and 31-33 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-33 are now pending in this application.

Summary of Rejections:

Claims 1-6, 13-17, 20, 24-27 and 32 are objected to for various informalities.

Claims 1-3 and 24-25 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,392,640 to Will (hereinafter “Will”).

Claims 4-23 and 26-33 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Will.

Discussion of Claim Objections:

The Examiner has objected to claims 1-6, 13-17 and 24-27 for improperly invoking the “means for” language in method claims. See Office Action dated November 10, 2009, pages 2-3. The Examiner is further asserting that the certain features of the pending claims (e.g., “determining means” that is recited in claims 7 and 28) are treated as invoking the “means-plus-function” language. See Office Action, dated November 10, 2009, pages 4.

Applicant respectfully disagrees with the Examiner’s position that any recitation of the word “means,” even if not in “means for” format, invokes the “means-plus-function” language of 35 U.S.C. § 112, sixth paragraph. MPEP §2181(I) states:

“A claim element that does not include the phrase "means for" or "step for" will not be considered to invoke 35 U.S.C. 112, sixth paragraph. If an applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant must either amend the claim to include the phrase "means for" or "step for," or show that even though the phrase "means for" or "step for" is not used, the claim limitation is written as a function to be performed and does not recite sufficient structure, material, or acts which would preclude application of 35 U.S.C. 112, sixth paragraph.” (Emphasis added.)

Therefore, the various features of the pending claims that do not specifically recite the “means for” language cannot be necessarily construed as invoking 35 U.S.C. § 112, sixth paragraph.

Nonetheless, in order to clarify the various features of the pending claims, Applicant has amended claims 1, 13, 24 and 25 to remove the word “means.” In addition, in claims 5 and 14, Applicant has replaced the word “means” with “mechanism.” This amendment is supported by the originally filed specification at, for example, page 6, line 26 to page 7, line 5, as well as Figures 2A and 2B.

Further, Applicant has amended claims 7, 9, 11, 18-23, 28-29 and 31-32 to recite the “means for” language in certain features of these claims.

As to claims 20 and 32, the Examiner has objected to the use of the phrase “a character prediction engine” in conjunction with the “second selection means.” See Office Action, dated November 10, 2009, page 3, items (e) and (h). Applicant has amended claims 20 and 32 to recite “wherein the means for selecting one of the symbols is configured to select one of the symbols using a character prediction engine.” Support for this feature may be found in the originally filed specification and drawings at, for example, page 9, lines 3-14. These sections of the originally filed specification describe that the device, when selecting one of the symbols from the selected group of symbols, can be configured to use a character prediction engine.

Applicant believes the above noted amendments sufficiently address the Examiner's objections to claims 1-6, 13-17 and 24-27. Accordingly, Applicant respectfully requests that the objections to the claims be withdrawn.

Discussion of Claim Rejections under 35 U.S.C. §§ 102(b) and 103(a):

The Examiner has rejected claims 1-3 and 24-25 under 35 U.S.C. § 102(b) as allegedly being anticipated by Will. The Examiner has also rejected claims 4-23 and 26-33 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Will. Applicant respectfully disagrees with the Examiner's interpretations of the disclosure of Will as it relates to the pending claims and, therefore, traverses these rejections for at least the reasons that follow.

Applicant has amended claim 1 of the present application to recite:

1. A method for enabling a user to enter data into an electronic device, the method comprising:
 - determining one or more characters as being likely to be selected next by the user;
 - displaying a character strip on a display screen of the electronic device, the character strip comprising three portions:
 - a first portion comprising functional icons,
 - a second portion comprising the one or more characters as suggested next characters, and
 - a third portion comprising a plurality of other symbols, wherein the one or more characters in the second portion and the plurality of other symbols in the third portion are determined and displayed based on a selected functional icon in the first portion;
 - scrolling through the functional icons, the suggested next characters and a plurality of other symbols in the character strip;
 - and
 - selecting one or more of the suggested next characters or one or more of the other symbols as data to be entered into the electronic device, or alternatively selecting one of the functional icons to change the suggested next characters and the plurality of other characters displayed in the second and third portions of the character strip.

Support for the amended features of claim 1 may be found in the originally filed specification and drawings at, for example, Figures 3 and 4 and the corresponding description at page 7, line 6 to page 8, line 33. The amended portions of claim 1 recite a character strip

comprising three portions, where each portion comprises a different functionality. In particular, the first portion comprises functional icons, the second portion comprises one or more characters as suggested next characters, and the third portion comprises a plurality of other symbols. As such, the method of amended claim 1 allows a user to scroll through the various portions of the character strip and select one or more suggested characters or select one of the functional icons on the character strip to change the suggested next characters and the plurality of other characters displayed in the second and third portions of the character strip.

Will fails to teach or suggest at least the above-noted features of amended claim 1 that relate to a character strip comprising three portions, where each portion is configured to provide specific functionalities that are recited in amended claim 1. Further, Will fails to teach or suggest at least the feature of amended claim 1 that relates to selecting one of the functional icons that is located on the first portion of the strip to change the suggested next characters and the plurality of other characters that are displayed in the second and third portions of the character strip. Accordingly, claim 1 is patentable.

Applicant has amended claim 7 to recite similar features as claim 1. Applicant has also amended claims 13, 18, 24 and 28 to recite features related to a character strip, similar to those discussed in connection with claim 1. Accordingly, claims 7, 13, 18, 24 and 28 are patentable for similar reasons as claim 1.

As to claims 2-6, 8-12, 14-17, 19-23, 25-27 and 29-33, these claims depend, either directly or indirectly, from one of allowable claims 1, 7, 13, 18, 24 or 28 and are, therefore, patentable for at least that reason, as well as for other patentable features when these claims are considered as a whole.

Discussion of Other Claim Amendments:

Applicant has made minor amendments to claims 3-4, 8-10, 16-17, 19-23, 27 and 31-33 to clarify the features recited in these claims and to provide proper antecedent basis for certain recited features. These amendments are not made for any reasons related to patentability.

Conclusion:

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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